

US EPA ARCHIVE DOCUMENT



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION IX**  
**75 Hawthorne Street**  
**San Francisco, CA 94105**

September 30, 2010

CERTIFIED MAIL 7007 0710 0003 6239 8502  
Return Receipt Requested

Joaquin C. Flores, P.E  
General Manager  
Guam Power Authority  
1911 Route 16  
Harmon, GU 96913

RE: Findings of Violation and Orders for Compliance under sections 308(a) and  
309(a) of the Clean Water Act  
EPA Docket No. CWA 309(a)-10-025  
Tanguisson Power Plant NPDES Permit No. GU0000027  
  
EPA Docket No. CWA 309(a)-10-024  
Cabras Power Plant NPDES Permit No. GU0020001

Dear Mr. Flores:

Based on information collected by the U.S. Environmental Protection Agency, Region 9 (EPA), we have determined that the Guam Power Authority has discharged pollutants to waters of the United States in violation of section 301(a) of the Clean Water Act. The violations include effluent limitation violations as well as other violations of the NPDES Permit No. GU0000027 for the Tanguisson Power Plant and NPDES Permit No. GU0020001 for the Cabras Power Plant.

EPA issues the enclosed Findings of Violation and Order for Compliance pursuant to sections 308(a) and 309(a) of the Clean Water Act. The Order specifies the nature of the violations and requires the Guam Power Authority to develop plans and take steps to return the Tanguisson and Cabras Power Plants to compliance with the Clean Water Act.

The Findings of Violations are made, in part, based on observations made by inspectors under contract to EPA, during their March 2010 inspections of the Tanguisson and Cabras Power Plants. The inspection reports are included with the Orders.

Enclosed for your information is an EPA information sheet about compliance assistance available to small businesses, including small governmental jurisdictions, and the rights of small businesses to comment to the Small Business Regulatory Enforcement Fairness Act (SBREFA) Ombudsman about EPA's enforcement activity. We provide this information sheet without making a determination whether your business is a small business under SBREFA.

If you have any questions regarding this matter, please contact JoAnn Cola at (415) 972-3578 or by e-mail at [cola.joann@epa.gov](mailto:cola.joann@epa.gov).

Sincerely,

Alexis Strauss  
Director, Water Division

cc: Bradley Dunagan, Deputy Administrator, Guam EPA

Encl: Findings of Violation and Order for Compliance w/inspection report attached  
SBREFA Fact Sheet